
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James D. Marks et al.

Attorney Docket No.:
UCSFP011X1/2003-044

Application No.: 10/632,706

Examiner: Minnifield, Nita M.

Filed: August 1, 2003

Group: 1645

Title: THERAPEUTIC MONOCLOINAL
ANTIBODIES THAT NEUTRALIZE
BOTULINUM NEUROTOXINS

Confirmation No.: 5306

CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this correspondence is being transmitted
electronically through EFS-WEB to the Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450, on June 22, 2007.

Signed: /Leslie J. Jennings/

NOTICE OF APPEAL

Mail Stop AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary
Examiner mailed December 22, 2006 finally rejecting Claims 1, 8, 17-36, 38-57, 97, 104 and
113-117.

The item(s) checked below are appropriate:

Appeal Fee: \$250.00 (Small Entity) \$500.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136
apply:

Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR

1.17(a)-(d)) for the total number of months checked below:

| <u>Months</u> | <u>Large Entity</u> | <u>Small Entity</u> |
|---|---------------------|---------------------|
| <input type="checkbox"/> one | \$120.00 | \$ 60.00 |
| <input type="checkbox"/> two | \$450.00 | \$225.00 |
| <input checked="" type="checkbox"/> three | \$1,020.00 | \$510.00 |

If an additional extension of time is required, please consider this a petition therefor.

of \$ An extension for month(s) has already been secured and the fee paid therefor is deducted from the total fee due for the total months of extension now requested.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Total Fee Due

| | |
|------------------------|--------|
| Notice of Appeal Fee | \$ 250 |
| Extension Fee (if any) | \$ 510 |

| | |
|---------------|--------|
| Total Fee Due | \$ 760 |
|---------------|--------|

Enclosed is Check No. in the amount of \$.

The Commissioner is authorized to charge the required fees or credit any overpayment to Deposit Account No. 500388, (Order No. UCSFP011X1).

Respectfully submitted,
BEYER WEAVER LLP

/ Tom Hunter /

Tom Hunter
Reg. No. 38,498

P.O. Box 70250
Oakland, CA 94612-0250
(510) 267-4161 / (510) 663-1100